

1632 *tn*

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: July 22, 2005 Name: C. Noel Kaman, Reg. No. 51,857 Signature: *C. Noel Kaman*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: NABEL, et al.

Appln. No.: 09/458,610

Filed: December 10, 1999

For: TREATMENT OF DISEASES BY SITE
SPECIFIC TRANSFORMATION OF CELLS
AND KITS THEREFOR

Examiner: Wehbé

Art Unit: 1632

Attorney Docket No: 8642/88-2

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Information Disclosure Statement with attachment of PTO-1449 Form and copies of other art listed.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

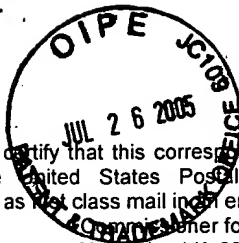
Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

22 July 2005
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)



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Commissioner for Patents
Alexandria, VA 22313-1450
on 22 July 2005

Date of Deposit

C. Noel Kaman, Reg. No. 51,857

Name of applicant, assignee or
Registered Representative

C. Noel Kaman

Signature

22 July 2005

Date of Signature

Our Case No.: 8642/88-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nabel et al.

Serial No.: 09/458,610

Filing Date: December 10, 1999

For: TREATMENT OF DISEASES BY
SITE SPECIFIC
TRANSFORMATION OF CELLS
AND KITS THEREFOR

Examiner Wehbé

Group Art Unit No.: 1632

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. A COPY of the listed documents required by 37 C.F.R. § 1.98(a)(2) is enclosed for the convenience of the Examiner.

The references now cited are the following:

NO.:	NAME:
	Makrides, Savvas C., "Components of Vectors for Gene Transfer and Expression in Mammalian Cells." 1999. <i>Protein Expression and Purification</i> , 17:183-202.

NO.:	NAME:
	Verman, Inder M. and Nikunji Somia, "Gene therapy-promises, problems and prospects." 1997. <i>Nature</i> , 389:239-242.
	Inverardi, Luca and Camillo Ricordi, "Chapter 56: Cell Transplantation." 1996. <i>Transplantation Biology: Cellular and Molecular Aspects</i> , pp.679-87.
	Peracchi, Alessio, "Prospects for antiviral ribozymes and deoxyribozymes." 2004. <i>Rev. Med. Virol.</i> , 14:47-64.
	Agrawal, Sudhir and Ekambar R. Kandimalla, "Antisense therapeutics: is it as simple as complementary base recognition?" 2000. <i>Molecular Medicine Today</i> , 61:72-81.
	Chirila, et al., "The use of synthetic polymers for delivery of therapeutic antisense oligodeoxynucleotides." 2002. <i>Biomaterials</i> , 23:321-42.
	Branch, Andrea D., "A Good Antisense Molecule is Hard to Find." 1998. <i>Talking Point</i> , TIBS 23:45-50.
	Crooke, S.T. (ed.), "Antisense Research and Application." 1998. Chapters 1 and 2, pp 1-50.

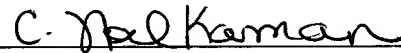
In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Furthermore, no item in this Information Disclosure Statement is admitted as being prior art, whether dated before or after the filing date of the instant application (Ser. No. 09/458,610).

This Information Disclosure Statement is being filed prior to the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. Further, no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counter part foreign application, and to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. Hence, this Information Disclosure Statement is believed to be timely filed in accordance with 37 C.F.R. § 1.97(c) and it is believed that no fee is due.

However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

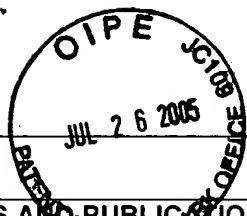
Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



C. Noel Kaman
Registration No. 51,857
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200



FORM PTO-1449	SERIAL NO. 09/458,610	CASE NO. 8642/88-2
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE December 10, 1999	GROUP ART UNIT 1632
APPLICANT(S): Nabel et al.		

REFERENCE DESIGNATION		U.S. PATENT DOCUMENTS				
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A1	Makrides, Savvas C., "Components of Vectors for Gene Transfer and Expression in Mammalian Cells." 1999. <i>Protein Expression and Purification</i> , 17:183-202.
	A2	Verman, Inder M. and Nikunji Somia, "Gene therapy-promises, problems and prospects." 1997. <i>Nature</i> , 389:239-242.
	A3	Inverardi, Luca and Camillo Ricordi, "Chapter 56: Cell Transplantation." 1996. <i>Transplantation Biology: Cellular and Molecular Aspects</i> , pp.679-87.
	A4	Peracchi, Alessio, "Prospects for antiviral ribozymes and deoxyribozymes." 2004. <i>Rev. Med. Virol.</i> , 14:47-64.
	A5	Agrawal, Sudhir and Ekambar R. Kandimalla, "Antisense therapeutics: is it as simple as complementary base recognition?" 2000. <i>Molecular Medicine Today</i> , 61:72-81.
	A6	Chirila, et al., "The use of synthetic polymers for delivery of therapeutic antisense oligodeoxynucleotides." 2002. <i>Biomaterials</i> , 23:321-42.
	A7	Branch, Andrea D., "A Good Antisense Molecule is Hard to Find." 1998. <i>Talking Point</i> , TIBS 23:45-50.
	A8	Crooke, S.T. (ed.), "Antisense Research and Application." 1998. Chapters 1 and 2, pp 1-50.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.